



16 April 2009

Tracey Steel
Ministry of Fisheries
Private Bag
WELLINGTON

Tena koe,

PAU 4 MANAGEMENT BY MEATWEIGHT – INITIAL POSITION PAPER

INTRODUCTION

1. This submission is made in response to your letter dated 23 February 2009, inviting Te Ohu Kai Moana Trustee Ltd (Te Ohu) to provide comments on the proposals contained in the Initial Position Paper entitled *PAU4 Management By Meatweight*.

THE PURPOSE OF TE OHU KAI MOANA

2. Te Ohu Kai Moana (Te Ohu) is a statutory body established under s.31 of the Maori Fisheries Act 2004. The purpose of Te Ohu is to advance the interests of iwi individually and collectively, primarily in the development of fisheries, fishing, and fisheries-related activities, in order to-
 - (a) ultimately benefit the members of iwi and Maori generally
 - (b) further the agreements made in the Deed of Settlement
 - (c) assist the Crown to discharge its obligations under the Deed of Settlement and the Treaty of Waitangi
 - (d) contribute to the achievement of an enduring settlement of the claims and grievances referred to in the Deed of Settlement
3. Te Ohu must administer the settlement assets in accordance with its purpose set out in the Act, including but not limited to the following duties:
 - (e) to manage on a transitional basis, collectively or separately as Te Ohu considers appropriate, the settlement assets to be allocated to an iwi, until they are transferred to the Mandated Iwi Organisation of the iwi; and;
 - (f) in relation to fisheries, fishing and fishing-related activities, act to protect and enhance the interests of iwi and Maori in those activities
4. The Maori Fisheries Settlement in 1992 set out what was recognized through the Courts and agreed at a political level. The process established that Maori customary rights to fishing included both commercial and non-commercial elements. The commercial element was not just historic but also included future development dimensions. The Settlement established Te Ohu and provided recognition of the commercial dimensions by providing for transfer through Te Ohu of quota, cash and shares in fishing companies to iwi. It provided recognition of the non-commercial dimensions by agreeing to develop regulations to help recognise use and management practices and provide protection for and scope for exercise of rangatiratanga in respect of traditional fisheries including tauranga ika and mahinga mataitai.

5. As noted above Parliament has established Te Ohu and given it responsibility to advance the agreements made in the Deed of Settlement and to assist the Crown to discharge its obligations and do so in a manner that contributes to an enduring settlement.

CONSULTATION

6. Te Ohu has not had the time to draw the contents of the consultation document to the attention of iwi, or the opportunity to discuss with them the contents of this submission. As such, this response conveys only the views of Te Ohu.

Position

7. Te Ohu:
- supports option 2 - all settings and reporting for the PAU 4 fishery will be in meatweight rather than greenweight.
 - supports the proposed 40% conversion ratio
 - notes that under this option, a meatweight TAC, TACC and non-commercial allowances will need to be set for PAU 4
 - notes that decisions on the TAC, TACC and non-commercial allowances will be made as part of the MFish sustainability round later this year, if this option proceeds.

Comments

8. Firstly we would like to commend the PAUAMAC4 Industry Association (PAUAMAC4) for the progress it has made since its establishment in 2004. PAUAMAC4 has gone from strength, to strength in developing strategies to ensure the long term sustainability of the fishery, and the island. PAUAMAC4 members have in our view gone beyond their commercial interests to ensure that the customary and recreational needs of the island are accommodated in a way that reflects the customs and traditions of the island and its people.
9. The issue of fouling has been around for along time. In the past 4 or 5 years PAUAMAC4 has led many discussions on the subject with its members and MFish, and in 2005 commissioned an independent report on options for managing the extreme fouling of a number of paua beds on the island. That report identified a number of issues associated with the problem of fouling. There are 3 in particular.¹
- Under reporting of green weight catches aimed at offsetting excessive fouling has been problematic since green weight reporting was first put in place. A significant issue arising from this practice is the scope for the TACC to have been exceeded in every year.
 - In order to maximise the value of quota, divers target high recovery areas and rarely, if at all, harvest from low recovery areas. If this is allowed to continue it will lead to these high recovery areas becoming depleted. In fact, anecdotal evidence from divers indicates these high recovery beds are in decline and will become depleted if corrective actions are not put in place soon.
 - The removal of excessive fouling requires paua to be “chipped”. The problem is divers spend hours having to remove fouling and in the process it causes significant

¹ Geoff Clarke, Green Weight to Meat Weight Report

damage to the paua. We have attached video footage of the chipping process so that MFish has greater appreciation of the situation.

10. A meat weight system will provide the right incentives for divers to support a catch spreading regime based upon paddock limits. It would also remove the opportunity and practice of under reporting of catches. Furthermore, it will ensure a high quality product is produced. Most importantly, it will enable PAUAMAC4 to put in place a management regime that will ensure the responsible and efficient utilisation of the paua fishery.
11. We note some of the comments made by the MFish CEO in recent correspondence to industry and look forward to achieving these outcomes:

The Ministry will work with fishing industry representatives to identify:

- *opportunities to reduce fishing industry costs, government imposed or otherwise;*
- *opportunities to improve efficiency of the Ministry's delivery of services to the industry;*
- *opportunities for government to further assist the economic development of the fishing industry; and*
- *the effectiveness of some MFish processes supporting fisheries management systems.*

12. Finally, we would like to take this opportunity to commend MFish for their collaborative approach in dealing with this proposal.

Noho ora mai

A handwritten signature in black ink, appearing to read 'Alan T Riwaka', with a large, stylized initial 'A'.

Alan T Riwaka
Senior Fisheries Management Advisor